HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPLICATION NO. 655 OF 2005.
IN
CRIMINAL APPEAL NO. 96 OF 2005.

Ranjit K. Rajpurkar. ..Applicant.

Versus.

The State of Maharashtra. ..Respondent.

Mr. Santosh M. Deshpande for the applicant.

Mr. D.P.Adsule, APP for the respondent.

CORAM: V.M.KANADE,J.

DATE: FEBRUARY 21, 2005.

P.C.

1. Heard learned counsel for the applicant and the learned APP for the State. The applicant is the original accused No.5. The applicant is convicted by the trial court for having committed an offence punishable under section 395 of the Indian Penal Code. The applicant is sentenced to undergo imprisonment for five years. The applicant is in jail since September 2002. The prosecution case is that the applicant along with other had entered the house of the complainant and had committed dacoity. The other three accused have been released on bail. So far as the present accused - applicant is concerned, there is no

recovery of cash or ornament or weapon from him. There is contradiction in respect of the statements made by the complainant and his wife. Even otherwise no overact has been attributed to this applicant. Under these circumstances, the applicant is entitled for grant of bail. The applicant be released on his furnishing bail in the sum of Rs.5,000/- with one or two sureties in like amount. The applicant, while on bail, shall report to the V.P. Road police station, twice in a month.

(V.M.KANADE, J.)

:srp/2005/